



UNITED STATES DEPARTMENT OF COMMERCE

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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|---|-------------|----------------------|------------------------|
| 07/973, 174 | 11/09/92 | PANDEY | R 273012005110 |
| | | | EXAMINER RAYMOND A. |
| 12M1 | | | |
| MORRISON & FOERSTER 755 PAGE MILL ROAD PALO ALTO, CA 94304-1018 | | | ART UNIT 1209 |
| | | | PAPER NUMBER 4 |

DATE MAILED: 05/28/93

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, Form PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 25-44 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. Claims _____ have been cancelled.
3. Claims _____ are allowed.
4. Claims 25 30-33, 38-44 are rejected.
5. Claims 26-29 + 34-37 are objected to.
6. Claims _____ are subject to restriction or election requirement.
7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. Formal drawings are required in response to this Office action.
9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable, not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner. Disapproved by the examiner (see explanation).
11. The proposed drawing correction, filed on _____, has been approved. Disapproved (see explanation).
12. Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____
13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1835 C.D. 11; 453 O.G. 213.
14. Other

EXAMINER'S ACTION

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
2. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to sufficiently define and enable all conjugates of the invention porphyrins. The specifically disclosed target-specific components on pages 12 and 13 of the specification are not seen to provide basis for all target-specific components encompassed by the present broad language.

3. Claims 25, 30-33 and 38-44 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

4. Claims 26-29 and 34-37 would be allowable if rewritten in independent form or the claims upon which they are dependent become allowable.

5. The art cited in parent application Serial No. 07/822,409 has been cited to show the state of the art herein.

Serial Number: 07/973,174

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Art Unit: 1209

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Raymond whose telephone number is (703) 308-4523.

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May 27, 1993

Richard L. Raymond
RICHARD L. RAYMOND
PRIMARY EXAMINER
GROUP 120